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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYLER ROBERT BUCHANAN,

Defendant.

NO. 2:24-mj-03081-DUTY

GOVERNMENT'S EX PARTE APPLICATION
FOR ORDER SEALING DOCUMENTS;
DECLARATION OF SUE J. BAI

(UNDER SEAL)

Plaintiff United States of America, by and through its counsel of record, the United States Attorney for the Central District of California and Assistant United States Attorney Sue J. Bai, hereby applies ex parte for an order that the government's complaint and any related documents in the above-captioned case be kept under seal until the defendant is in the custody of the United States, with exceptions (i) to allow disclosure to and by law enforcement personnel, including foreign authorities, in connection with the performance of their duties and for the purpose of locating or arresting the defendant, and (ii) to allow disclosure, including to foreign authorities, in connection with any extradition proceedings.

1 The government also applies for an order allowing the documents
2 with any redactions to be publicly disclosed by the government at the
3 time the Department of Justice publicly discloses the details of the
4 investigation in this case.

5 This ex parte application is based on the attached declaration
6 of Sue J. Bai.

7 Dated: May 25, 2024

Respectfully submitted,

8 E. MARTIN ESTRADA
United States Attorney

9 CAMERON L. SCHROEDER
10 Assistant United States Attorney
11 Chief, National Security Division

12 /s/
13 SUE J. BAI
Assistant United States Attorney

14 Attorneys for Plaintiff
15 UNITED STATES OF AMERICA
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DECLARATION OF SUE J. BAI

I, Sue J. Bai, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I represent the government in this case.

2. The government requests leave to file its complaint and any related documents as well as this ex parte application in the above-captioned case under seal, with exceptions (i) to allow disclosure to and by law enforcement personnel, including foreign authorities, in connection with the performance of their duties and for the purpose of locating or arresting the defendant, and (ii) to allow disclosure, including to foreign authorities, in connection with any extradition proceedings.

3. Defendant TYLER ROBERT BUCHANAN ("BUCHANAN") has not yet been taken into U.S. custody and has not yet been informed that he will be named as a defendant in this case. If the complaint or any related documents were made public before BUCHANAN is taken into U.S. custody, the ability of law enforcement to locate and apprehend BUCHANAN could be jeopardized. Even if BUCHANAN is apprehended by foreign authorities, he could be released while any extradition proceedings are pending. In such a case, if the documents were made public before BUCHANAN is taken into U.S. custody, he may flee to a country where extradition to the United States is not possible. Furthermore, public disclosure of the documents before BUCHANAN is in U.S. custody may also allow him time to dispose of or conceal evidence and intimidate witnesses, particularly if he is apprehended and then released by foreign authorities while any extradition proceedings are pending. Accordingly, the government requests that

1 the complaint and any related documents as well as this ex parte
2 application in this case be sealed until BUCHANAN is in the custody
3 of the United States.

4 4. The exception to allow disclosure of the complaint and any
5 related documents to and by law enforcement personnel, including
6 foreign authorities, is necessary because information in these
7 documents may be required by law enforcement personnel, including
8 foreign authorities, to locate or apprehend BUCHANAN.

9 5. The exception to allow disclosure of the complaint and any
10 related documents, including to foreign authorities, in connection
11 with any extradition proceedings is necessary because the United
12 States likely will be required to provide copies of the charging
13 document with any extradition request.

14 6. The government also applies for an order allowing the
15 documents with any redactions to be publicly disclosed by the
16 government at the time the Department of Justice publicly discloses
17 the details of the investigation in this case. For instance, if
18 BUCHANAN is not apprehended or the U.S. government will not be able
19 to extradite him, there could be a public interest in the information
20 contained in these documents in light of the nature and scope of the
21 offenses, the victims targeted, and the need to disrupt and deter
22 similar crimes in the future.

23 7. I declare under penalty of perjury under the laws of the
24 United States of America that the foregoing is true and correct and
25 that this declaration is executed at Los Angeles, California, on May
26 24, 2024.

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28 SUE J. BAI